

APPEAL NO. 020610
FILED APRIL 24, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on February 20, 2002. The hearing officer determined that the respondent (claimant) sustained a compensable wrist injury on _____, and that the claimant had disability from the compensable injury beginning on _____, and continuing through November 5, 2001. The appellant (carrier) appeals, asserting that the claimant is not credible and that the evidence is insufficient to support the hearing officer's determinations. There is no response from the claimant contained in our file.

DECISION

Affirmed.

There was sufficient evidence to support the hearing officer's determination that the claimant sustained a compensable injury. Section 410.165(a) provides that the hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as of the weight and credibility that is to be given the evidence. When reviewing a hearing officer's decision for factual sufficiency of the evidence we should reverse such decision only if it is so contrary to the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Pool v. Ford Motor Co., 715 S.W.2d 629, 635 (Tex. 1986). Applying this standard, we find no grounds to reverse the factual findings of the hearing officer.

The carrier also appealed the disability determination, asserting that the claimant did not have disability because he did not sustain a compensable injury. However, because we have affirmed the determination that the claimant sustained a compensable injury, we affirm the disability determination as well.

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **CONNECTICUT INDEMNITY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Michael B. McShane
Appeals Judge

CONCUR:

Philip F. O'Neill
Appeals Judge

Robert W. Potts
Appeals Judge